

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on July 19, 2010 has been entered.

2. Claims 22, -26, 30-37 and 39-41 remain pending in this application.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 34, 40 and 41 are rejected under 35 U.S.C. 112, second paragraph**, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 34 recites the phrase "an LCD panel" that is confusing since there is no explicit structural relationship between this LCD panel and the rest elements in the arrangement for displaying three dimensional or two dimensional modes. The scopes of claim 34 therefore are not definite.

Claims 40 and 41 recite the phrase "the movement" however that is confusing since there is no explicit antecedent basis from their based claim, (claim 22).

Allowable Subject Matter

5. Claims 22-26, 30-33, 35-37 and 39 are allowed.

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6. Claims 34, 40 and 41 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

7. The following is an examiner's statement of reasons for allowance: of the prior art references considered none has disclosed an arrangement for display with *selectable three-dimensionally visible or two-dimensional modes* that is comprised of an illuminating device emitting light, *a filter array having transparent and opaque area segments*, a transmissive image display device on the image viewing side of the filter array and a *diffusing layer* arranged on the image viewing side of the image display device that the diffusing layer and the image display device substantially rigidly connected to each other wherein the *a distance* between the filter array and the diffusing layer is *variable* such that in a *first position*, the distance "a" the structure imparted by the filter array to the light originating from the illuminating device is essentially *cancelled* to provide a *two-dimensional image* and in a *second position*, the diffusing layer is in *close proximity* to the filter array such that the structure imparted by the filter array to the light originating from the illuminating device is essentially *not cancelled* such that the image display device shows a image that is in the *three dimensional*.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Audrey Y. Chang whose telephone number is 571-272-2309. The examiner can normally be reached on Monday-Friday (9:00-4:30), alternative Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on 571-272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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